

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
W. R. Grace & Co., et al. ) Case No. 01-01139 (KJC)  
Reorganized Debtors. ) (Jointly Administered)  
 ) Hearing Date: March 4, 2015, at 10:00 a.m.  
 ) Response Deadline: March 2, 2015 at 4:00 p.m.

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OF DELAWARE  
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Re: Docket No. 32497  
Claim No. 392  
Claimant Gary S. Smolker

CLAIMANT GARY S. SMOLKER'S RESPONSE TO THE  
THIRTY-SEVENTH OMNIBUS OBJECTION TO  
CERTAIN CLAIMS FILED REGARDING PREPETITION LITIGATION  
CAPTIONED TIG INSURANCE COMPANY V. GARY SMOLKER, ET. AL.,  
CASE NO. BC 173952 (LOS ANGELES COUNTY SUPERIOR COURT),  
DATED JANUARY 30, 2015 ("the 37<sup>th</sup> Omnibus Objection")

TO THE HONORABLE COURT,

I am in receipt of the 37<sup>th</sup> Omnibus Objection.

This response is directed to the 37<sup>th</sup> Omnibus Objection.

My name is Gary S. Smolker.

I am a claimant in the bankruptcy of the W. R. Grace & Co. in the United States Bankruptcy Court for the District of Delaware, Case No. 01-01139.

My PROOF OF CLAIM, dated June 6, 2001, was filed on or about August 27, 2001 with the Clerk, U.S. Bankruptcy Court, District of Delaware and has been assigned Claim Number 392.

I am the person with whom counsel for the Reorganized Debtors should communicate with respect to the claim or objection thereto or my response thereto, and I possess authority to reconcile, settle, or otherwise resolve the objection to the Disputed Claim on behalf of the Claimant, who is me, myself.

My contact information (name, address, telephone number and fax number) is as follows:

Gary S. Smolker  
16055 Ventura Blvd., Suite 525  
Encino, California 91436-2609

Office Phone Number: (818) 788-7290  
Cell Phone Number: (310) 749-9735  
Fax number: (818) 788-7503  
E-mail: GSmolker@aol.com

In the 37<sup>th</sup> Omnibus Objection co-counsel for the Reorganized Debtors state they will ask the Court to enter an Order permitting the California State Court Litigation pending in the Los Angeles County Superior Court, captioned *TIG Insurance Company v. Gary Smolker, et al., Los Angeles Superior Court Case No. BC 173952* to proceed to judgment, if I respond to the 37<sup>th</sup> Omnibus Objection.

I too would like, and request, the Court to enter an Order permitting the California State Court Litigation pending in the Los Angeles County Superior Court, captioned *TIG Insurance Company v. Gary Smolker, et al., Los Angeles Superior Court Case No. BC 173952* to proceed to judgment.

WHEREFORE, I, claimant Gary S. Smolker, request the Court enter an Order permitting the California State Court Litigation pending in the Los Angeles County Superior Court, captioned *TIG Insurance Company v. Gary Smolker, et al., Los Angeles Superior Court Case No. BC 173952* to proceed to judgment.

Dated: February 25, 2015

*Gary S. Smolker*  
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Gary S. Smolker, Claimant, In pro per  
Claim No. 392  
16055 Ventura Blvd., Suite 525  
Encino, California 91436-2609  
Phone: (818) 788-7290  
Fax: (818) 788-7503

## PROOF OF SERVICE

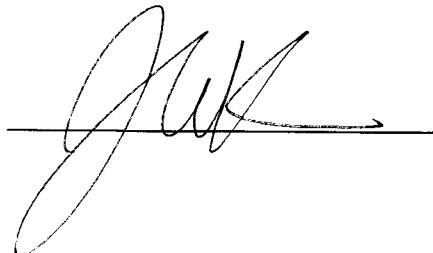
I am over the age of 18 and not a party to this bankruptcy case. My business address is Joseph W. Kellener, 16055 Ventura Blvd., Suite 525, Encino, California 91436.

On February 25, 2015, I served a true and correct copy of the foregoing document entitled CLAIMANT GARY S. SMOLKER'S RESPONSE TO THIRTY-SEVENTH OBJECTION TO CERTAIN CLAIMS FILED REGARDING THE PREPETION LITIGATION CAPTIONED TIG INSURANCE COMPANY V. GARY SMOLKER, ET. AL., CASE NO BC 173952 (LOS ANGELES SUPERIOR COURT), DATED JANUARY 30, 2015 the original of which is affixed hereto,

1. by First Class Mail by depositing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as shown on the attached service list - service information continued on attached page,
2. and by facsimile transmission as listed on the attached service list – service information continued on the attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 25, 2015 Joseph W. Kellener



**SERVICE BY MAIL LIST**

**In re: W. R. Grace & Co., Reorganized Debtors**

**Chapter 11, Case No. 01-01139 (KJC)**

<b>KIRKLAND &amp; ELLIS LLP</b> Adam Paul 300 North LaSalle Street Chicago, IL 60654	Co-Counsel for Reorganized Debtors
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<b>Scott L. Baena</b> Bilzin, Sumberg, Baena, Price & Axelrod 1450 Bickell Avenue, Suite 2300	Counsel to the Official Committee of Asbestos Property Damage Claimants

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Richard H. Wyron Orric, Herrington & Sutchliffe LLP 1152 15 <sup>th</sup> Street, NW Washington, D.C. 20005	Counsel to the Asbestos Future Claimants' Representative
John C. Phillips, Jr. Phillips, Goldman & Spence, P.A. 1200 North Broom Street Wilmington, DE 19806	Counsel to the Asbestos Future Claimants' Representative

<p>Karl Hill Seitz, Van Ogtrop &amp; Green, P.A. 222 Delaware Avenue, Suite 1500 P.O. Box 68 Wilmington, DE 19899</p>	<p>Counsel to the Asbestos PD Future Claimants' Representative</p>
<p>Alan B. Rich, Esq. 1201 Elm Street, Suite 4244 Dallas, TX 75270</p>	<p>Counsel to the Asbestos PD Future Claimants' Representative</p>
<p>Office of the United States Trustee, Attention: Richard L. Schepecarter, Esq. 844 N. King Street Wilmington, DE 19801</p>	

**SERVICE BY FACSIMILE TRANSMISSION LIST**

**In re: W. R. Grace & Co., Reorganized Debtors**

**Chapter 11, Case No. 01-01139 (KJC)**

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